

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TEAMSTERS LOCAL 456 PENSION, HEALTH &
WELFARE, ANNUITY, EDUCATION & TRAINING,
INDUSTRY ADVANCEMENT, AND LEGAL SERVICES
FUNDS by Louis A. Picani, Joseph Sansone, Dominick
Cassanelli, Jr., Roger Taranto, Ross Pepe, Jeffrey Isaacs, John
Cooney, Jr., and Simone M. Almeida as Trustees and fiduciaries
of the Funds, and WESTCHESTER TEAMSTERS LOCAL
UNION NO. 456,

Plaintiffs,

- against -

LMD HAULING LLC, and MICHAEL DEL VESCOVI,
individually,

Defendants.

**DEFAULT
JUDGMENT**

Civil Action No.
7:24-cv-02494 (KMK)

UPON THE READING AND FILING OF THE ORDER TO SHOW CAUSE filed by the Plaintiffs, the Trustees of the Teamsters Local 456 Pension, Health and Welfare, Annuity, Education and Training, Industry Advancement, and Legal Services Funds together with the Westchester Teamsters Local Union No. 456, as well as the Notice of Motion, Affidavit of Daniel Kornfeld, dated the 25th day of July 2024, the Affidavit of Brenda Ritch, dated the 24th day of July 2024, the Complaint, the Memorandum of Law, the Statement of Damages, and the Affidavits of Service together with the exhibits attached thereto; and

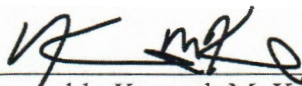
UPON the failure of Defendant LMD Hauling LLC and Michael Del Vescovi, individually, to appear before the Honorable Court;

IT IS HEREBY ORDERED pursuant to Rules 54 and 55 of the Federal Rules of Civil Procedure, as well as Section 502(g)(2) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), 29 U.S.C. §1132(g)(2), and Section 301(a) of the Labor Management Relations Act of 1947 ("LMRA"), 29 U.S.C. §185(a):

1. That Plaintiffs' Motion for Default Judgment is hereby **GRANTED**; and
2. That Plaintiffs shall recover judgment against Defendants LMD Hauling LLC and Michael Del Vescovi, joint and severally in the total amount of \$167,606.83, representing \$164,024.22 in contributions related to work in covered employment during the period July 1, 2023 through June 30, 2024, plus \$3,582.61 in attorneys' fees and costs; and
3. That Plaintiffs shall additionally recover judgment against Defendant LMD Hauling LLC in the amount of \$32,974.18, representing \$10,933.46 in deductions for the period July 1, 2023 through June 30, 2024, plus \$5,638.30 in interest, plus \$16,402.42 in liquidated damages; and
4. That Plaintiffs shall additionally recover judgment against Defendant Michael Del Vescovi for \$606.60 in interest; and
5. That the Plaintiffs shall have immediate execution on this Judgment, and Plaintiffs shall be entitled to post-judgment interest at the rate provided for by 29 U.S.C. §1961(a).

Dated: September 23, 2024
White Plains, New York

ENTERED:



Honorable Kenneth M. Karas
U.S. District Court Judge